REMARKS/ARGUMENTS

The Office Action mailed May 24, 2004 has been reviewed and carefully considered. Before the present Amendment, Claims 1-8 were pending, with Claims 1 and 7 being in independent form. In the present Amendment, all of the previously pending claims (Claims 1-8) have been amended in order to conform with U.S. patent practice (including the deletion of reference numerals to thereby emphasize that the claims are in no way limited to the embodiments shown in the drawings), as well as to clarify the nature of the present invention. Claims 9-19 have been added, with Claims 11 and 17 being in independent form. The specification has been amended to conform with U.S. patent practice (e.g., by adding appropriate headings). In addition, the specification now recites the priority claim which has already been submitted to, and acknowledged by, the U.S. Patent and Trademark Office (see Notification of Acceptance of Application under 35 U.S.C. 371 (PTO Form PCT/DO/EO/903) dated March 23, 2001). After the present Amendment is entered, Claims 1-19 will be pending, with Claims 1, 7, 11, and 17 being in independent form.

In the May 24, 2004 Office Action, all of the previously pending claims, Claims 1-8, were rejected under 35 USC §102(e) as anticipated by *Haartsen* (US 6,009,332). In response, independent Claims 1 and 7 have been amended to recite that the "mobile communication means" or "mobile station" measures reception levels within the frequency band, and then "space averages" the results "to determine an average reception level for a frequency". An example of how to perform such "space averaging" is given in newly added Claims 9-10: the "mobile communication means" or "mobile station" is moved around while the reception level measurements are being made, and then the different measurements are averaged to obtain the pace average reception level.

As discussed in the specification of the present application, one of the purposes of the present invention is to reduce the time it takes to configure and/or install a base station (see, e.g., page, lines 26-29). By having installation personnel carrying a mobile means by which they can

make space averaged reception level measurements and use them to determine the best frequency for the base station.

Haartsen neither teaches nor suggests obtaining a space averaged reception level measurement with a mobile communication means (or mobile station). The measurement method of *Haartsen* takes "several hours or even days" (col. 9, line 52, and also lines 12-13, *Haartsen*), and the process of averaging these measurements takes place continuously (col. 9, lines 53-54: "... the averaging process is continuous, irrespective of whether there is a connection or not"). By contrast, the method and system recited in amended Claims 1 and 7 allows installation personnel to take several measurements at different locations (in the vicinity of the base station) and then average these measurements together to obtain a space average reception level with which an optimum frequency within the frequency band can be determined. The reception level measuring process according to amended Claims 1 and 7 will not require hours or days to perform (unlike *Haartsen*).

Therefore, at least because *Haartsen* neither teaches nor suggests obtaining a space average reception level measurement and using it to select the operating frequency for the base station, which limitations are recited in amended Claim 1 and 7 of the present application, amended Claims 1 and 7 are not anticipated by *Haartsen*, but are rather patentable over *Haartsen*, for which reason withdrawal of their rejection is respectfully requested. At least through their dependence on amended independent Claims 1 and 7, which are believed to be patentable over *Haartsen*, dependent Claims 1-6 and 8 are also believed to be patentable over *Haartsen*, for which reason withdrawal of their rejection is also respectfully requested.

Newly added Claims 9-19 contain no new matter: there is support in the entirety of the originally filed application for Claims 9-10, e.g., at page 7, lines 9-14; for Claim 11, e.g., page 4, line 8, to page 5, line 21, page 7, lines 9-14, and Claim 1 as originally filed; for Claims 12-13, e.g., page 5, lines 22-32; for Claim 14, e.g., page 5, lines 7-9 and 23; for Claim 15, e.g., page 5, lines 14-18; for Claim 16, e.g., page 4, lines 22-27; for Claim 17, e.g., page 4, line 8, to page 5, line 21, page 7, lines 9-14, and FIG. 2; for Claim 18, e.g., page 1, lines 26-27; and for Claim 19, e.g., page 8, lines 32-34.

Newly added Claims 9 and 10 depend from amended independent Claims 1 and 7, respectively, which are believed to be in condition for allowance. At least for this reason, it is believed that newly added Claims 9-10 are also in condition for allowance, which is respectfully requested.

Newly added independent Claim 11 recites a method for installing, configuring, and/or re-configuring a base station at a location in a cellular network using a mobile station, where the user takes various reception level measurements by moving the mobile station within the transmission area of the base station and then those measurements are averaged together to obtain an average reception level for each frequency within the frequency band selected for the location. At least because these limitations are neither taught nor suggested by the cited prior art, it is believed that newly added Claim 11 is in condition for allowance, which is respectfully requested.

Newly added Claims 12-16 depend from newly added independent Claim 11, which is believed to be in condition for allowance. At least for this reason, it is believed that newly added Claims 12-16 are also in condition for allowance, which is respectfully requested.

Newly added independent Claim 17 recites a method for installing a plurality of base stations at a location in a cellular network using a mobile station, where the user uses the mobile station to take a plurality of reception level measurements at different spots with the transmission area of the base station, and then uses the measurements to select an operation frequency for the base station. After a base station identifier is input to the base station, a transmission link is configured between the base station and its corresponding base station controller. The transmission link is used to transmit configuration information from the mobile station via the base station to the base station controller, which subsequently configures the base station. At least because these limitations are neither taught nor suggested by the cited prior art, it is believed that newly added Claim 17 is in condition for allowance, which is respectfully requested.

Newly added Claims 18-19 depend from newly added independent Claim 17, which is believed to be in condition for allowance. At least for this reason, it is believed that newly added Claims 18-19 are also in condition for allowance, which is respectfully requested.

Lastly, based on the foregoing amendments and arguments, allowance of all presently pending claims is respectfully requested.

Respectfully submitted,

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